

**APPLICATION FOR PERMIT
 TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office MAR 2 1 1991

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 2 1 1991 Under 56023

The applicant BENTLY NEVADA CORPORATION 401 (k) PLAN and TRUST
P.O. Box 157, of Minden,
Street and No. or P.O. Box No. City or Town
Nevada 89423, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Incorporated in Nevada - October 20, 1961
Trust Agreement was effective January 1, 1988

1. The source of the proposed appropriation is Spring
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.022 c.f.s. second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated 1.0 Acres

(b) Stockwater, state number and kinds of animals to be watered _____

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point SW¼ SW¼, Section 6, T.10N.,
Describe as being within a 40-acre subdivision of public
R.22E., M.D.B.&M., or at a point from which the East ¼ corner of Sec. 12 bears
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
S. 08° 45' 00" W., a distance of 3758.00 feet.

6. Place of use Portions of SW¼ SW¼, Section 6, T.10N., R.22E., M.D.B.&M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Improve spring outlet and ditches
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$500.00

10. Estimated time required to construct works 2 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By s/Jack D. Ferris
THIEL, WINCHELL & ASSOCIATES, INC.
34 Lakes Blvd., Suite 101
Dayton, Nevada 89403
(702) 246-7300

Compared jjs/cc ab/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.022 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources, but not to exceed 4.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 15, 1995

Proof of completion of work shall be filed on or before January 15, 1996

Application of water to beneficial use shall be made on or before December 15, 1998

Proof of the application of water to beneficial use shall be filed on or before January 15, 1999

Map in support of proof of beneficial use shall be filed on or before January 15, 1999

Completion of work filed **FEB 16 2001**

Proof of beneficial use filed **FEB 16 2001**

Cultural map filed **FEB 16 2001**

Certificate No. **15765** Issued **MAY 17 2001**

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of December,

A.D. 19 93

State Engineer